

105TH CONGRESS
1ST SESSION

H. R. 1178

To amend title 13, United States Code, to make clear that sampling may be used in order to improve the accuracy of the decennial censuses of population, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 1997

Mrs. MALONEY of New York introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To amend title 13, United States Code, to make clear that sampling may be used in order to improve the accuracy of the decennial censuses of population, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. USE OF SAMPLING.**

4 Section 195 of title 13, United States Code, is
5 amended—

6 (1) by striking “Except” and all that follows
7 through “the Secretary” and inserting “(a) Subject
8 to subsection (b), the Secretary”; and

1 (2) by adding at the end the following:

2 “(b) In connection with a decennial census of popu-
3 lation taken under section 141(a) of this title for purposes
4 of the apportionment of Representatives in Congress
5 among the several States, sampling may be used in such
6 form and manner as the Secretary considers appropriate,
7 but only—

8 “(1) in conjunction with a good faith effort
9 using non sampling techniques authorized by this
10 title, (regardless of whether the sampling occurs be-
11 fore, during, or after such enumeration); and

12 “(2) to the extent the Secretary considers its
13 use to be necessary in order to achieve a more accu-
14 rate census.”.

15 **SEC. 2. REPORTING REQUIREMENT.**

16 (a) ESTABLISHMENT OF REPORTING REQUIRE-
17 MENT.—

18 (1) IN GENERAL.—Subsection (f) of section 141
19 of title 13, United States Code, is amended—

20 (A) by redesignating paragraphs (1)
21 through (3) as paragraphs (2) through (4), re-
22 spectively; and

23 (B) by inserting before paragraph (2) (as
24 so redesignated) the following:

1 “(1) not later than 3 years before the appro-
2 priate census date, a report containing the Sec-
3 retary’s determination of—

4 “(A) how it is proposed that the actual
5 enumeration be carried out;

6 “(B) what types of surveys or statistical
7 methods are proposed to be used in connection
8 with the actual enumeration; and

9 “(C) how the surveys or methods under
10 subparagraph (B) would help achieve a more
11 accurate census;”.

12 (2) TECHNICAL AMENDMENT.—Paragraph (4)
13 of section 141(f) of title 13, United States Code (as
14 so redesignated), is amended by striking “paragraph
15 (1) or (2)” and inserting “paragraph (1), (2), or
16 (3)”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to censuses occurring
19 after the date of enactment of this Act, except that the
20 deadline for the report under section 141(f)(1) of title 13,
21 United States Code (as amended by this section) with re-
22 spect to the 2000 decennial census of population shall be
23 the 90th day after such date of enactment.

1 **SEC. 3. REQUIREMENT RELATING TO THE COLLECTION**
2 **OF CERTAIN INFORMATION REQUIRED BY**
3 **STATUTE.**

4 Section 141 of title 13, United States Code, is
5 amended—

6 (1) by redesignating subsection (g) as sub-
7 section (h); and

8 (2) by inserting after subsection (f) the follow-
9 ing:

10 “(g)(1) This subsection applies with respect to any
11 law of the United States which provides for benefits to
12 State, county, or local units of general purpose govern-
13 ment, based on population or population and housing
14 characteristics data.

15 “(2) Except as otherwise expressly provided by law,
16 the population or population and housing characteristics
17 data used for purposes of administering a law described
18 in paragraph (1)—

19 “(A) shall be data collected—

20 “(i) as part of the decennial census; and

21 “(ii) contemporaneously with the collection
22 of data for purposes of the apportionment of
23 Representatives in Congress among the several
24 States; and

1 “(B) may, with respect to any subjects which
2 the Secretary considers appropriate, be collected
3 through sampling.”.

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